THE HONOURABLE SRI JUSTICE K.C.BHANU

WRIT PETITION NO.21227 OF 2005

ORDER:

Seeking to set aside the order of the first respondent- The District Collector dated 29.8.2005 wherein the first respondent dismissed the appeal filed by the petitioner herein on the ground of limitation, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned Government Pleader.

The first respondent-District Collector dismissed the appeal filed by the petitioner on the ground that the same is barred by limitation. Admittedly the petitioner has not filed any application to condone the delay since the appeal filed by the petitioner was not within the time prescribed under the Control Order. Moreover, the petitioner has chosen a wrong forum in filing the appeal.

Therefore, without entering into the merits, I deem it appropriate to dispose of the writ petition permitting the petitioner to file appropriate appeal before the Joint Collector and the Joint Collector shall, on filing of such appeal, consider the same without adverting to the order passed by the District Collector.

The writ petition is disposed of with the above observation.

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29.9.2005

mdaa.